

## EAGAN COURT- MARTIAL CONVENES

The Commissary General  
Pleads Not Guilty.

HE USES QUALIFYING WORDS

**Qualification Does Not Relieve Court  
From Necessity of Proving Facts  
Alleged—The President's Promise  
of Immunity to Witnesses Testify-  
ing Before Investigating Commis-  
sion Relied Upon For Immunity—  
Driven Almost to Desperation by  
Miles' Testimony and Comments—  
The Testimony Begun**

(By Telegraph to Virginian-Pilot.)

Washington, D. C., January 25.—The board of army officers designated by the Secretary of War to sit as a court-martial in the case of Brigadier-General Charles P. Eagan, Commissary of Subsistence, charged with conduct unbecoming an officer and a gentleman, and conduct to the prejudice of good order and military discipline, in connection with his testimony before the War Investigating Commission, met in the red parlor of the Ebbitt House at 10 o'clock this morning and almost immediately proceeded to the business in hand.

The members of the court, whose names have heretofore been published, appeared in full dress uniform.

EVERY MEMBER PRESENT.

At just 10 o'clock Colonel Davis, the judge-advocate, called the roll of the court, all of the members responding to their names. As he concluded General Eagan appeared with his counsel, Mr. A. S. Worthington, formerly United States District Attorney for the District of Columbia.

General Eagan also wore the dress uniform of his rank. Almost immediately Colonel Davis arose and introduced General Eagan and his counsel, and then proceeded to read the order convening the court.

The Judge-Advocate, when this was concluded, turned to General Eagan and inquired whether he objected to any of the members of the court as designated by the order.

General Eagan replied: "I do not." The members of the court then arose and took the usual oath, which was administered by Colonel Davis. The charges and specifications were then read.

EAGAN PLEADS NOT GUILTY.

At the conclusion of the reading, on being requested to plead to the specification as to the first charge, General Eagan said, "Not guilty—not denying, however, that the specifications set forth correctly a part of the language used."

To the first charge he pleaded "not guilty." To the specification to the second charge he pleaded "not guilty—not denying, however, that the specifications set forth correctly a part of the language used."

To the second charge he pleaded "not guilty."

PLEA QUALIFIED.

The Judge-Advocate then arose and said that the case in hand was a peculiar one, but presented no unusual difficulties. The accused had seen fit to add to his plea of not guilty some words tending to qualify it, but he did not think the plea relieved the court from the necessity of proving the facts alleged.

Judge Worthington responded briefly and explained that the qualifying words had been used upon his recommendation. The specifications, he said, did the accused a great injustice in that it selected particular expressions without instance, the specifications quoted being in the middle of a sentence.

EAGAN'S DEFENCE.

Continuing Mr. Worthington said that he desired to state briefly to the court the substance of General Eagan's defence. Whatever, said he, the court may think of the propriety of the language used by General Eagan before the War Investigating Commission, there was no doubt in his (Worthington's) mind that he was fully protected in using that language by the laws of the land. In addition to this the President of the United States had instructed the War Investigating Commission to announce publicly that witnesses before that tribunal would be given immunity for whatever they might testify to. This was a solemn promise given by the President of the United States, and counsel had no doubt that the court would find that General Eagan could not under these circumstances be held to answer to a military court-martial for his language.

MILES' OFFENCE.

General Miles, he said, had appeared before the committee about three weeks before General Eagan had made his statement, and on that occasion had made most serious and sweeping charges against many of his subordinates and particularly against him and the Commissary Department of the army.

Immediately upon receiving the testimony given by General Miles, General Eagan went to the Secretary of War and asked leave to bring charges against him. General Alger had replied that under the President's order of immunity General Miles could not be held responsible for his language before the commission. The newspapers then took it up and roared General Eagan almost to desperation. He had come to believe that the press and the country at large had accepted the accusations made by General Miles as true, and the condition of his mind, in consequence, grew worse and worse until he was in a state bordering on distraction. The language which General Eagan used under these circumstances was the

natural outburst of an honest man suffering under an unjust accusation.  
CALL ON THE PRESIDENT.

At 10:50 o'clock word came from the White House that the President would receive the members of the court between 11 and 12 o'clock. Thereupon General Merritt announced that the court would take a recess for the purpose of paying their respects to the President of the United States.

THE FIRST WITNESS.

On re-assembling at 11:30 o'clock a few minutes was given a photographer to take a picture of the court, and then Major S. C. Mills was called to testify on behalf of the government. He said he was the recorder of the War Investigating Commission and was present before the commission. The manner of General Eagan in giving his testimony, he said, was that of a man laboring under great excitement, but trying to control his excitement. He recalled some of the words used by General Eagan in his testimony, which agreed substantially with the phraseology used in the specifications. The witness was shown a copy of the specifications and identified the language there quoted as having been used by General Eagan.

Judge Worthington interrupted to say that General Eagan did not deny the language quoted.

Major Mills, a member of the War Investigating Commission, was the next witness. He was present and heard a part of General Eagan's testimony before the commission.

"The impression I had," he said, "was that General Eagan must be laboring under great nervous excitement." He recalled some of the language used, and it agreed substantially with the testimony as published.

THE PROMISE OF IMMUNITY.

The witness recalled a remark by the President in regard to the immunity of witnesses. The President had said in substance that any person who should come before the commission to give evidence, should receive immunity from the action of any higher authority. It was the understanding of the commission that this immunity extended only to legitimate testimony that could be received by any tribunal.

The Judge-Advocate then read at some length from General Miles' testimony before the War Investigating Commission, in which he called forth the objectionable language in General Eagan's statement.

At the conclusion of the reading of General Miles' statement Judge Worthington read at length from General Eagan's revised testimony before the War Investigating Commission. At 2 o'clock the court adjourned until 10 o'clock to-morrow morning.

## ALABAMA'S DEPARTURE.

STATE DECIDES TO ENTER THE  
LIQUOR BUSINESS.

(By Telegraph to Virginian-Pilot.)

Montgomery, Ala., Jan. 25.—The Senate of Alabama passed a dispensary bill to-day authorizing each county and incorporated town or city in which the sale of liquor is not now prohibited, to carry on in its name the business of buying and selling liquors. In each town which has a population of ten thousand or less there shall be one dispensary, and generally, in larger cities, there shall be one dispensary for every ten thousand inhabitants. In counties at places outside of incorporated towns or cities they are to be established upon the petition of twenty or more householders and freeholders. The licenses for such dispensaries are to be granted by the county officials and the cities are required to pay to the State for each license on January 1st of each year the amount now paid for such licenses by individuals.

Twenty-two of the sixty-six counties are exempt from its provisions.

## ADELINA PATTI MARRIED.

THE SONGSTRESS UNITED TO  
BARON CEDERSTROM.

(By Telegraph to Virginian-Pilot.)

London, Jan. 25.—Adelina Patti, the singer, was married to-day at Brecon, Wales, to Baron Cederstrom, director of the health gymnastic institute here.

The Mayor and corporation were among those who met the couple at the station and accompanied them to the church, headed by the Mace bearers, in silk hats and scarlet waist coats, and with the borough banner flaunting the red dragon. The Aldermen, in their robes of office, met the bride and bridegroom in the porch of the church, which was beautifully draped in white, pink and blue muslin, which was worked into a canopy in front of the altar, under which the couple stood during the ceremony.

The wedding breakfast was served on board the train which was composed of the special cars built for the Prince of Wales. The honeymoon will be spent in the south of France.

## Baron de Barea and Wife Restored.

(By Telegraph to Virginian-Pilot.)

Pensacola, Fla., Jan. 25.—Baron and Baroness Edgar de Barea are under arrest here by the United States marshal. They were spending the winter at St. Augustine in splendid style, but were arrested on the charge of fraudulently using the United States mails at Chicago for a photograph scheme, by which they obtained large sums of money from people throughout the country.

They gave bond for their appearance before the United States Court at Jacksonville, and are now under arrest here for attempting to escape and leave their bondsmen in the lurch. The arrest here was made at the instance of Captain Tobin, a Pinkerton detective.

## Troops Sail For Matanzas.

(By Telegraph to Virginian-Pilot.)

Charleston, S. C., Jan. 25.—The Third battalion of the 160th Indiana volunteers arrived here this morning from Columbus, Ga. The battalion was accompanied by the regimental headquarters, band and hospital corps, together with 120 tons of baggage. The troops went at once on board the transport Saratoga, and at 2 o'clock this afternoon sailed for Matanzas, Cuba. The Saratoga carries a large cargo of provisions and lumber, in addition to the soldiers and their baggage.



SCENE ON THE NEW YORK STOCK EXCHANGE FLOOR.

The speculative craze has assumed unparalleled magnitude in New York, and millions are made and lost daily on the Stock Exchange. The volume of transactions daily has passed all former records, and the excitement on the floor of the exchange during trading hours is intense. In a single day the Standard Oil stock owned by John D. Rockefeller increased in value \$5,000,000.

## THE STRUGGLE OVER

West Virginia Legislature Chooses  
a Senator.

Mr. Scott, Republican, Receives Forty  
Eight Votes, the Number Required  
to Elect—Defeated Democratic Candidate Makes a Statement.

(By Telegraph to Virginian-Pilot.)

Charleston, W. Va., Jan. 25.—After a contest of over two weeks, Internal Revenue Commissioner Nathan B. Scott was this afternoon elected United States Senator from West Virginia for the term ending in March, 1905. He will succeed Senator Charles Faulkner.

Many predicted that there would be a deadlock for weeks, but a decisive result was reached on the first joint ballot. The vote stood: Scott (Rep.), 48; McGraw (Dem.), 46; Goff (Rep.), 1. Total vote cast, 95; necessary to elect, 48.

As the ballot stood when the last named was called Scott had only 47 votes, and the deadlock, which had been expected, seemed assured. But just before the president of the Senate started to announce the result Delegate Hunt, who had voted for Judge Blizard, announced that he wished to change his vote. During a brief speech, in which he explained his position, there was a breathless suspense.

## THE DECIDING VOTE.

At first it appeared as if he would join Delegate Hapstonstall, who voted for Goff, but he cast the vote which elected Scott. Hapstonstall clung to Goff to the end. Delegate Ashbury, who had been absent during the entire session on account of sickness, was present and voted for Scott. Morris, Republican, against whom a contest is pending in the Senate, was not permitted to vote, and the Taylor county seat in the House, which is claimed by Dem. Democrat, was left vacant in accordance with the compromise agreement reached Tuesday night between the leaders of the two houses. The night it was given out that Scott's election would be contested before the United States Senate.

## DEMOCRATIC PROTESTS.

During the balloting the Democrats filed protests against the votes of Gelfendanner and Prigson, whom they claim to be ineligible because they accepted a commission in the volunteer army, while holding their offices as Senators. This they will make one ground for the contest. The other ground will be because Scott received only 48 votes, one less than a majority of all the members elected to the Legislature.

As a precedent they cite the Blackburn-Hunter case, in Kentucky, in which the Senate refused to let Hunter take his seat because he had not received a majority vote of all the members of the Kentucky Legislature, though he had received a majority of those present and voting.

## MR. MCGRAW'S STATEMENT.

Hon. J. F. McGraw, the Democratic nominee for Senator, to-night made the following statement to the Associated Press:

"Neither Mr. Scott nor myself was elected to-day under the forms of law to the Senate. I received 46 votes in the joint assembly. He received 48, and Judge Goff received 1. This gives Mr. Scott a majority of one over the combined vote of Judge Goff and myself, out of the 48 votes received by Mr. Scott two of them were the votes of State

(Continued on Sixth Page.)

## AGONCILLO IGNORED.

HE WILL NOT BE RECOGNIZED BY  
THE PRESIDENT.

(By Telegraph to Virginian-Pilot.)

Washington, D. C., Jan. 25.—The presentation to the State Department yesterday of the communication from Agoncillo, Aguinaldo's representative as he styles himself, has not changed the attitude of the department toward him, and there is not the slightest probability that he will be officially recognized by the President or the department.

## CLEVERLY PHRASED DOCUMENT.

It is conceded that the document is cleverly phrased with the intention to put the United States Government in the wrong in the estimation of the world, and it is suspected from the half concealed arrogance of the demand to be informed of the purpose of our government in sending reinforcements to the Philippines that this communication may mark the adoption of a new line of policy by the insurgents in the Philippines. The first manifestation of this, in case it is decided to resort to open hostilities, probably will be the sudden departure of Agoncillo and his staff from Washington and from the limits of the United States.

## NO ADVICE FROM OTIS.

There was an absence of advice from General Otis to-day which led the officials at the War Department to the conclusion that there has been no appreciable change in the conditions at Manila or Iloilo, and some satisfaction is felt in even that style of negative assurance that the impending trouble at Manila has been at least postponed.

## Miss Hobson's Plucky Sister.

(By Telegraph to Virginian-Pilot.)

Jackson, Miss., Jan. 25.—Miss Annie Hobson, of Greensboro, Ala., sister of Lieutenant Hobson, of Merrimack fame, and who has been the guest of her cousin, Miss Kate Porter, in this city, for several days, proved herself a heroine in an exciting runaway this afternoon, seemingly demonstrating that a streak of courage runs through the Hobson family. Miss Hobson had mounted a fiery Kentucky thoroughbred for a dash across the county. She had progressed only a short distance down West street from the Porter residence when the horse became frightened, and getting the bit between his teeth, dashed away at a terrific speed. The plucky girl realized her danger and held onto the reins with a deathlike grip, at the same time trying to stop the frightened animal, her escort, Joseph Porter, in close pursuit.

The race continued for seven blocks, and several corners were turned, that would have unseated an ordinary horsewoman. The horse was finally stopped near the City Hall.

## New Jersey Elects Kean Senator.

(By Telegraph to Virginian-Pilot.)

Trenton, N. J., Jan. 25.—The two branches of the Legislature met in joint session to-day, and after the reading of the journal of the two Houses on yesterday's vote for U. S. Senator, President Reed, of the Senate, who provided, declared John Kean elected as United States Senator from New Jersey for six years, beginning on March 4, 1899.

## Kansas City Bank Closes.

(By Telegraph to Virginian-Pilot.)

Kansas City, Mo., January 25.—The Planters' Bank, with a capital of \$25,000, was closed to-day by the State. The proprietors are under arrest by order of Secretary of State Leeson and Assistant Attorney-General Jeffries. The bank has no visible assets, it is alleged.

## SHERMAN ON EXPANSION

Venerable Republican Statesman  
Opposed to Treaty.

If Back in Senate He Would Vote  
Against Ratification and for With-  
drawal From the Philippines as  
Soon as Possible.

(By Telegraph to Virginian-Pilot.)

New York, January 25.—The Evening World to-day prints an interview with John Sherman, in which the latter forcibly expresses himself against expansion. The ex-Secretary is quoted as saying, in part:

"I am decidedly opposed to the invasion of the Philippines. The idea of our country forcing its way into these islands and forcing its government upon the 7,000,000 or 9,000,000 population of those islands is monstrous. It is subversive of the basic principle of our Government, that the just powers of government are derived from the consent of the governed, and it is in violation of the traditions of our country."

"Then, if you were in the Senate you would not vote to ratify the treaty of Paris as it stands?"

"If I were in the Senate I would not vote to ratify the treaty as it stands. I would vote to withdraw from the islands as soon as possible."

"The papers say that 4,000 soldiers have just been sent to Manila. Why are they sent? Are we going to war against a struggling republic? They have been fighting for many years against Spain and have practically driven Spain out. Are we to take the place of Spain in reorganizing over these struggling people?"

## THE SAMOAN TROUBLE.

FULL INSTRUCTIONS SENT TO  
AMBASSADOR WHITE.

(By Telegraph to Virginian-Pilot.)

Washington, D. C., Jan. 25.—The State Department has forwarded to Ambassador White at Berlin full instructions as to the presentation he is to make to the German Minister for Foreign Affairs relative to the indignity reported to have been offered the Chief Justice of Samoa by the German officials at Apia. The department also has had some exchanges with the German Ambassador here on the subject. The nature of these communications cannot be revealed, but it is believed that they show an abiding confidence in the disposition of the German Government to right any wrong that may have been perpetrated at Apia through over zealous agents.

## Money Arrived Too Late.

(By Telegraph to Virginian-Pilot.)

New York, January 25.—A sick and destitute man, 55 years old, was taken from an East-side tenement house two weeks ago to the Department for Out-door Poor. He gave the name of Lawrence Schraeder and he was dying from sheer want of nutritive food. To-day a letter addressed to Schraeder was brought to the superintendent of the institution. It contained a check for \$5,000 and had been sent from England as Schraeder's long-delayed share in his father's estate. Schraeder, however, had died, and the money arrived just in time to prevent his burial in the Potter's field.

## TO REORGANIZE THE ARMY

An Indiana Republican Wins  
on Democratic Applause.

SENSATIONAL UTTERANCES

How the President Can End Strained  
Relations in the Philippines—  
The Mistake Made—Tribute to  
Aguinaldo and Angonello—McKin-  
ley's Course a Policy of Evasion—  
Bryan's Mistake—Opposed to a  
Large Standing Army—The Old  
World Policy—Cost of Expansion—  
Mr. Dilliver's Reply.

(By Telegraph to Virginian-Pilot.)

Washington, D. C., Jan. 25.—The House to-day resumed the debate on the Army Reorganization bill.

Mr. Gibson (Republican, Tennessee), was the first speaker. He advocated the passage of the bill.

Mr. Johnson (Republican, Ind.) then took the floor in opposition to the bill. As he arose the Democrats applauded and members squared themselves around in anticipation of some sensational utterances.

"While the President, in the presence of what he may conceive to be a popular demand," he began, "is hurrying the army and navy across the seas to inflict upon an alien people a government against their will, I propose fearlessly, without regard to its effect upon my personal fortunes, to make a plea for liberty and an argument against the perpetuation of injustice."

## A CRISIS IMMINENT.

"We were on the verge of a crisis," said Mr. Johnson, "those who failed to rush forward in support of the schemes of the imperialists were being denounced here and in the public press as 'Spaniards,' and men who failed in their duty. His answer was that if the Chief Executive would break his silence and openly state that we did not propose to enslave the people of the Philippines, his word for it, the present strained relations in the islands would cease, those who were but yesterday our allies would return to their homes and there would be no necessity for this proposed increase in the standing army. No, this would not be done. What meant this hasty disavowal of Senator Foraker's statement that the administration had no intention of holding the islands permanently? If the administration do not mean to hold the Philippines, what meant this clamor of the administration press? Why had the President's commissioners demanded the absolute cession of the islands instead of simply their evacuation, as they did in the case of Cuba? Why did not Senator Davis, who was in charge of the treaty in the Senate agree to allow the passage of a resolution disavowing the Government's purpose to hold the islands permanently? Those were patent facts which could not be judged. They must be faced squarely. Everything pointed in one direction—the purpose to annex the Philippines."

## 1876 AND 1898.

Continuing he drew a parallel between our revolutionary struggle and the struggle the Philippines made for independence. He argued that to-day they had a stable government, Republican in form, a president, a vice-president, and Congress, the whole founded on the free consent of the governed. To attempt to subvert that government he charged would be an "unspeakable crime that should bring the blush of shame to the cheek of every free-born American."

Mr. Johnson paid a high tribute to Aguinaldo and to Agoncillo.

"If William McKinley ever changes his policy regarding the Philippines," he declared, "in sentimental tones, 'he will bend to the weight of popular opinion to which he bows, right or wrong.'"

## A HOT REJOINDER.

This utterance raised a storm of applause from the Democratic side. Mr. Johnson requested that such interruptions cease as they took up his time. Several times before he had made a similar request.

"I should imagine the gentleman could tolerate Democratic applause," interrupted Mr. Henderson (Rep. of Iowa).

"The gentleman can always tolerate the applause of honest men, no matter when it comes," replied Mr. Johnson quickly. As the applause which greeted this rejoinder died away he added:

"And he can also tolerate the narrow censure of those of his own party as he has done frequently in the past. He has never been so well satisfied with himself as when his narrow colleagues were crying him down."

"I pride myself, Mr. Speaker," he continued, drawing himself up to his full height, "that I have broadened since I entered public life. My party is a means, not an end with me, and when I believe my party is wrong nothing can make me abate my independent convictions." (Great Democratic applause.)

## A POLICY OF EVASION.

Proceeding he denounced the President's course as a "policy of evasion," (Continued on Fifth Page.)

## OTHER TELEGRAPH PAGE 6.

## CLASSIFICATION OF NEWS

BY DEPARTMENTS.  
Telegraph News—Pages 1 and 6.  
Local News—Pages 2, 3 and 5.  
Editorial—Page 4.  
Virginia News—Pages 7 and 8.  
North Carolina News—Page 9.  
Portsmouth News—Pages 10 and 11.  
Berkley News—Page 11.  
Markets—Page 12.  
Shipping—Page 12.